

PAGE COUNTY BOARD OF SUPERVISORS

REGULAR MEETING-MINUTES

GENERAL DISTRICT COURT ROOM

JULY 10, 2001

2:30 PM

MEMBERS PRESENT: Allen Cabbage Chairman, District 3
Nora Belle Comer Vice Chairman, District 1
Elaine Mayberry Supervisor, District 2
Gerald Cabbage Supervisor, District 4
Robert Good Supervisor, District 5

ALSO PRESENT: C. Dean BeLer County Administrator
Regina Miller Accounting Technician
Rodger Smith County Attorney
Dr. Chappell School Superintendent
C.R. Suddith Jr. Treasurer
Ben Endicott Programmer Analyst
Gerald Dovel Water Quality
Charlie Newton Water Quality
Lowell Baughan Baughan & Baukhages
Kenneth Fox Building Official
Donna Hoke Administrative Assistant

CALL TO ORDER:

At 2:30 p.m. Chairman Allen Cabbage called the meeting of July 10, 2001 to order, and the invocation was given by Supervisor Comer, followed by Supervisor Gerald Cabbage reciting the Pledge of Allegiance.

Chairman Allen Cabbage thanked all the citizens for coming to the meeting. The

Chairman gave a brief statement pertaining to the proposed landfill contract. It was noted the time frame in which the contract would be available to the public for viewing. The Chairman noted that the contract that was distributed to the public, is a working draft only, which was submitted by the parties involved in the negotiations.

The Chairman concluded in saying that the contract will be thoroughly evaluated, discussed, and drastic changes made if necessary.

County Administrator's reports:

Mr. BeLer addressed the Board stating that he would like to recommend the addition of the Treasurer's report to the agenda, along with the removal of items number eight and ten. Item number eight is listed as interdepartmental budget transfers, and number ten is CSA coordinator position. Mr. BeLer noted that the Director of Social Services has requested that item ten be deferred until the next month.

Mr. BeLer informed the Board that he had received a letter from DEQ requesting a meeting with Mr. John Olver, and Mr. Cornwell on July 19, 2001. The meeting will be to discuss the methane gas issues at the Stanley Landfill.

Mr. BeLer added that Mr. Chris Carrie from the Virginia Association of Counties would be here on the upcoming Thursday to give a report on our insurance program, along with addressing his recommendations.

Mr. BeLer advised the Board that he was still trying to get in touch with Mrs. Hudson regarding the Airport lease.

Mr. BeLer concluded in noting dates for important events taking place. Dates noted were Naco Conference in Philadelphia, Pa. this coming week-end, and the VDOT meeting will be July 16th in Staunton, Va. FOIA seminars are taking place throughout the state of Virginia on July 10th, 11th, 12th, 17th, & 18th. Further information may be found at the County Administrators office. The applications for the 4-H position closed on the 17th of July, and noted that they welcome a representative from the Board to sit in on the interviews. The Advisory Committee for Gypsy Moths will be meeting on July 27, 2001.

Approval of Agenda:

MOTION:

Supervisor Good moved that the agenda be approved as amended.

Supervisor Mayberry seconded. The motion was carried by a vote of 5-0.

AYES: Elaine Mayberry, Gerald Cabbage, Allen Cabbage, Robert Good, and Nora Belle Comer.

NAYS: None

G.I.S Report:

Mr. Endicott noted that Supervisor Mayberry had brought to his attention the availability of Introductory Level Grants for software and training through NACO. Mr. Endicott inquired further to find that the grants are made available to county departments that have an interest in pursuing implementation of GIS in their departments. The grant available would provide a single license for ArcView software for one year, and internet based training for up to ten individuals in a given department. Department head, along with Constitutional Officers received the information, but most felt that time commitment for learning the software would be unwarranted without a guaranteed county wide property data base. Mr. Endicott informed that Board that there would be no guarantee that any county wide GIS system would be using the ArcView software, which would make the total investment of time and expense quite premature.

Mr. Endicott recommended, that when the Board could afford the time, to schedule a work session to review the Needs Assessment for implementing a GIS system that was preformed in the year 1999.

Water Quality Committee report:

Mr. Gerald Dovel and Mr. Charlie Newton both addressed the Board to give a brief report on the current conditions of the rivers within Page County. Mr. Newton noted that they have spent the last two years collecting data for the County. The Water Quality Committee would now like the Board to instruct them as to what their desire would be for the next stage. Mr. Dovel closed in saying that once the County Administrators office is fully staffed, he would like to address the possibility of the Water Quality Committee receiving clerical assistance at their meetings.

Treasurers report:

Mr. Suddith addressed the Board stating that as of June 30, 2001 the collection of current real-estate bills for the first half of the year has brought in over three million dollars. This figure is approximately 1 percent lower then this time last year. However, on the collection front, the county has reduced the accounts receivable in real-estate by \$31, 699. Personal property figures bring in billings of \$4,466,925, with collections

receiving \$4,246,989 which is 95.3 % collections as of June 30, 2001. Mr. Suddith was happy to report that things look better this year, then they did this time last year.

2001 SOL scores:

Dr. Chappell addressed the Board and proceeded to give them a brief update on the SOL scores, reporting that the majority of the scores from grades 3 to 8 showed remarkable improvement. Dr. Chappell noted that this was largely due to teachers, parents, and students working together hard to meet a common goal. In conclusion, Dr. Chappell commended the school system staff, for all the help they had offered.

Dr. Chappell presented the Board with two resolutions that the Page County School Board had approved at their meeting pertaining to deposit of revenues not expended in escrow for construction, and interfund transfers.

MOTION:

Supervisor Comer moved to authorize the school fund carryover of \$9,704.25 in an escrow account earmarked for construction and the total amount of transfers in the amount of \$1,000,597.89 for expenditure needs.

Supervisor Good seconded. The motion was carried by a vote of 5-0.

AYES: Nora Belle Comer, Allen Cabbage, Robert Good, Gerald Cabbage, and Elaine Mayberry.

NAYS: None

Institute for Environmental Negotiations :

Mr. BeLer noted that the representatives were unable to attend the meeting, but handouts were distributed to the board members. Mr. BeLer noted that it was his hopes that the representative could attend a future work session.

County Building Repair:

Mr. Kenneth Fox addressed the Board stating that he had asked engineers from Frederick and Warren County to come in and investigate the structural damages to the building. Upon investigating, both engineers reported that the building did in fact contain structural damages. Mr. Fox then noted that Mr. Baughn was brought in to do a cost evaluation on the structural damages.

Mr. Baughan addressed the Board, and proceeded to give his brief report of the damages that he suspected in the Building. It was noted that further removal of sections of the building needed to be done to get a better estimate of the damages. Mr. Baughan offered to address any questions that the Board may have.

Methane Gas:

Mr. BeLer noted that Mr. Beahm would not be available for the methane gas report due to an emergency at home. Mr. BeLer proceeded with the report for the Board, showing diagrams of areas that probes would be inserted. Mr. BeLer noted that at the days end, a letter would be going out to Mrs. Phillips requesting permission for the County to place a fan in under her house. In conclusion, Mr. Beler noted that monitors were still being installed in homes, and that monitoring was being done on a daily basis.

Chairman Allen Cabbage noted that during his last visit to the Stanley Landfill, he had noticed what poor condition the road was in at the entrance. The Chairman stated that the ditch would need to be cleaned out and repaired before the next hard rainfall.

Carryover Fiscal Year 2001:

Mr. Endicott addressed the Board stating that his department has developed some added expenses that were not budgeted for. The first item was the informational technology study that the Board had previously requested to be done, and the need for an additional PC for Mrs. Houff to use during her part-time duties with the landfill billings. After Board discussion, it was noted that no action would be taken at this time, and that more details could be brought back to the Board at a later date.

Massanutten Regional Library Committee:

Mr. BeLer addressed the Board to give them a brief explanation on the agreement for library services between the county and the regional library. It was noted that there would be a budget figure of \$122,829 with the new term of July 1, 2001 through June 30, 2002, with no other changes compared to prior year contracts.

MOTION:

Supervisor Mayberry moved to approve the annual contract for library services between the Rockingham Library Association, the Board of Supervisors of Page County, and the Page Library Association, subject to approval by the County Attorney, and authorize the Chairman to sign the contract.

Supervisor Good seconded. The motion was carried by a vote of 5-0.

AYES: Elaine Mayberry, Gerald Cabbage, Allen Cabbage, Robert Good, and Nora Belle Comer.

NAYS: None.

MOTION:

Supervisor Mayberry moved to appoint Mr. George Shanks as the Luray representative, and Mr. Loyd Wakeman as the Stanley representative for The Rockingham Library System.

Supervisor Comer seconded. The motion was carried by a vote of 5-0.

AYES: Elaine Mayberry, Nora Belle Comer, Gerald Cabbage, Allen Cabbage, and Robert Good.

NAYS: None

Redistricting: (attachment # 1 -resolution)

MOTION:

Supervisor Good moved to accept the redistricting reports and plans and authorize a resolution of appreciation.

Supervisor Comer seconded. The motion was carried by a vote of 5-0.

AYES: Elaine Mayberry, Allen Cabbage, Robert Good, Gerald Cabbage, and Nora Belle Comer.

NAYS: None

Inventory of Fixed Assets:

Mr. BeLer addressed the Board with a brief explanation of the background material presented in the agenda packet, concerning the GASB-34. The material indicated the proposed changes to take place in auditing and the possible implications to the County.

MOTION:

Supervisor Good moved to approve an amendment to the contract with Robinson, Farmer Cox, Associates for implementation of a fixed assets inventory of Page County Government at a cost not to exceed \$12000., and authorize the transfer of funds in the amount of \$12000 from Board Contingency to Accounting.

Supervisor Comer seconded. The motion was carried by a vote of 5-0.

AYES: Nora Belle Comer, Allen Cubbage, Gerald Cubbage, Robert Good, and Elaine Mayberry.

NAYS: None.

Tire Disposal:

After a brief discussion, it was decided by the Board that more information was needed concerning the tire disposal fee. The Board directed staff to gather further information from the LFPD.

Approval of Minutes:

MOTION:

Supervisor Good moved to approve the minutes as amended from June 4, June 13, July 2, 10:00, and July 2, 12:00.

Supervisor Mayberry seconded. The motion was carried by a vote of 5-0.

AYES: Gerald Cubbage, Robert Good, Allen Cubbage, Nora Belle Comer, and Elaine Mayberry.

NAYS: None

Consent Agenda:

Authorize Emergency Procurement

Grant Applications

(DEQ Wastewater Revolving Loan Fund & Litter Control Grant)

Approval of Financial Reports

Approval of Warrant List

After discussion, it was agreed that Lease of property on rental house should be removed from the consent agenda, however, staff was directed to draft a letter to the Ruckmans' to vacate the property.

MOTION:

Supervisor Comer moved to approve the consent agenda.

Supervisor Good seconded. The motion was carried by a vote of 5-0.

AYES: Robert Good, Gerald Cabbage, Allen Cabbage, Nora Belle Comer, and Elaine Mayberry.

NAYS: None

Supervisor Mayberry noted that she abstains from approving check number 132250 in the amount of \$180.00.

Recess: 4:40 p.m.

Reconvene: 6:30 p.m. with all members present.

Landfill contract:

Chairman Allen Cabbage opened the evening meeting with thanking the citizens for attending, and giving another brief statement pertaining to the proposed landfill contract. Once again, the time frame in which the contract would be available to the public for viewing was noted. The Chairman concluded in saying that the contract will be thoroughly evaluated, discussed and drastic changes made if necessary.

Supervisor Mayberry asked for dates to be announced concerning the contract. Dates given were final draft availability July 13th, at the County Office Building, and public presentation on July 23rd, 7:00 p.m., with location undetermined at the present time.

Supervisor Gerald Cabbage thanked everyone for coming to the meeting, and asked that the other Board members take into account the citizens view on the landfill issue, and especially try to understand how the citizens will be effected with the decisions that the Board of Supervisors make regarding the landfill. Supervisor Cabbage concluded in noting he presently held a petition containing over 1000 signatures from concerned

citizens, in which Supervisor Cabbage would like included in the minutes

Supervisor Comer noted that Page County had a very serious situation that it was facing at the moment, and that she agreed with the comments that the other supervisors had voiced. Supervisor Comer concluded that the proposed contract contained five concerns that still needed addressing before a final decision would be made.

Supervisor Good noted that they have a team that has been put together to evaluate this contract, taking into consideration, both the cost and long term effect, should the contract be signed. Supervisor Good concluded in saying that he has high confidence that the team will recommend the best possible solution for Page County, and that no rash decision will be made.

Citizens comments:

Alan Eldridge-

Mr. Eldridge spoke briefly on the Roberts Rules of Order, asking that if the Board has decided to incorporate these rules into their by-laws, that the supervisors should also have to abide by those rules.

Lee McWhorter-

Mr. McWhorter noted that he hopes that the Chairman is happy that all the people have shown up at the meeting to voice their opinions, and concluded in saying seven days is not enough to evaluate a contract that will make such an impact on this county.

John Rogerson-

Mr. Rogerson opened his comments by reading an article from the Washington Post, quoting that jails, and landfill are two things that politicians do not like to talk about.

Mr. Rogerson added that he does not understand why the county is seeking to hire a financial advisor, when the present County Administrator was suppose to be a financial wizard.

Mary Whitehead-

Mrs. Whitehead asked to yield her time to someone who normally does not speak during citizens comment period.

Ralph Harlow-

Mr. Harlow proceeded to handout copies of the proposed landfill, that he noted was ten pages short of a full contract. Mr. Harlow used his available time to read certain portions of the landfill contract and state what he felt were discrepancies within the landfill contract.

Edward Higgs-

Mr. Higgs continued to use his allotted time to address the discrepancies within the contract that Mr. Harlow spoke of.

Ted Kelly-

Mr. Kelly addressed the issue of the proposed racetrack, stating that he would rather have the hog farm that Mr. Vaughan suggested then the racetrack.

Jeff Vaughan-

Mr. Vaughan stated that he was here in Page County to run a successful business, but noted that his requests to rezone had been dragging on long enough. Mr. Vaughan closed addressing the issue of the landfill, asking what the life of the landfill would be, and the cost to operate.

Henry Reynard-

Mr. Reynard addressed the issue of the additional trucks that would need to drive over the mountain to eliminate their waste at the landfill. Mr. Reynard questioned the supervisors on certain issues such as, where a truck driver will park, if out of driving hours.

Douglas Atwood-

Mr. Atwood addressed the board stating that he was a concerned and very disappointed citizen of Page County. Disappointed that the Battlecreek Landfill did not produce the projected income expected, and angry that the contract was misrepresented. Mr. Atwood closed in saying that this board needs to be extra careful in their next decision, because this is Page County's future.

Terry Turner-

Mr. Turner addressed the board concerning the landfill issues. Mr. Turner thanked the board for arranging contracts for the public to view, but added that when the public finds errors in the contract, the supervisors need to listen, and further evaluate the contract. Mr. Turner closed in asking everyone if they are willing to jeopardize the health and well being of the present and future generation of Page County, for a short term financial gain.

Barbara Coulter-

Mrs. Coulter addressed that Board asking that all the supervisors stop and listen to the people of Page County, stating that this was not a place for a mega landfill. Mrs. Coulter told the supervisors that they had gotten hung up with the people they were dealing with, and that they as supervisors were heading down the wrong path. In closing, she made the statement, that the people of Page County do know what is right for them, no matter what walk of life they come from.

Joyce Good-

Ms. Good spoke of landfill issues stating that the burnings at the landfill were causing a bacterial dermatitis on the skin of people living in the surrounding area, and that she could not hand clothes out on her line to dry, without them becoming soiled.

Old Business

Organizational Plan:

Mr. BeLer reported that he has asked Ms. Dottie Bowen, of the County Administrator's Office of Rockingham County to visit of office next week to give her professional opinion of the functional layout, responsibilities and other matters concerning the operation of the present County Administrator's Office.

Recess: 7:20 p.m. (3 minutes)

Addressing of public comments:

Mr. Smith spoke before the Board and the citizens of Page County noting that this was a public legislative meeting, and when people spoke or commented on issues, they needed to do so in an appropriate manner. Both parties need to stick to and enforce the rules, but most importantly, people need to speak in a manner in which they would like themselves to be spoken to. This in fact, would insure that the message was received in the fashion that it was intended.

DEQ consent order:

Mr. BeLer noted that further information needed to be addressed concerning the consent order, and therefore, it was his recommendation to return this issue to the Board of Supervisors for a final report and or action at the work session in July.

Norfolk and Southern:

Mr. Aleshire was asked to present to the Board an update on the negotiating and settling with each of the required property holders in Page County. Mr. Aleshire stated that Norfolk and Southern have indicated that a payment of \$80,000 to Page County in lieu of negotiating with property owners would transfer their responsibility to the County. The \$80,000 would be used to benefit the citizens of Page county and for other appropriate public purposes, that would be determined under the sole discretion by the Page County Board of Supervisors.

Supervisor Mayberry recommended that Mr. Aleshire meet with the landowners to see what they preferred, and then report back to the Board.

Special Use Permit: Allow for a single-wide manufactured home on a lot zoned residential.

The Board acknowledged that this item was on the agenda, but due to the pending methane gas issues at the surrounding area, the Board tabled until the next regular board meeting to be held August 14, 2001.

MOTION:

Supervisor Gerald Cabbage moved to table the request for a Special Use Permit, due to the unresolved methane gas situation, with the issue to be brought back to the Board at the next regular scheduled meeting to be held August 14, 2001.

Supervisor Mayberry seconded. The motion was carried by a vote of 5-0.

AYES: Gerald Cabbage, Robert Good, Allen Cabbage, Nora Belle Comer, and Elaine Mayberry.

NAYS: None

Passage Creek River:

Mr. BeLer reported on the letters addressed to Mr. Campbell, and Mr. Wilson concerning

the Passage Creek River being nominated for designation as an exceptional water. After discussion, it was recommended that should DE Q need any further information, they would be asked to do a presentation to the Board, in which questions could be addressed.

New Business

Work session:

Mr. BeLer informed the Board that there were a number of issues that need to be addressed by the Board and he recommended putting on the agenda for a work session. After discussion, a work session was set up for August 28, 2001 at 1:30 p.m.

Local Government Officials Conference:

Mr. BeLer noted as a reminder that the Conference would be held August 12th & 13th in Charlottesville, Virginia.

Financial Advisor:

Mr. BeLer reported that RFP's have been put out for both short term and long term proposals. A short term proposal was sent out for emergency purposes, and has been responded to by three companies, with it being narrowed down to Davenport.

MOTION:

Supervisor Mayberry moved to select Davenport to aid as Financial Advisors with the Anticipation note as well as any other matter the Board deems necessary.

Supervisor Comer seconded. The motion was carried by a vote of 4-1.

AYES: Elaine Mayberry, Robert Good, Nora Belle Comer, and Allen Cabbage.

NAYS: Gerald Cabbage.

Supervisor Gerald Cabbage noted that he voted nay, due to C. R Suddith having the ability to perform the necessary actions.

Approval of Tax Anticipation Note:

Mr. BeLer recommended that this item be deferred until the next meeting, which would

give Davenport time to gather necessary information.

Lease agreement for Airport Commission with Luray Caverns:

Mr. BeLer informed the Board that meetings will be arranged between the General Manager of the Caverns and the Town of Luray, and then the information will be returned to the Supervisors.

Supervisor attending staff meeting:

After returning from the staff retreat, it has been suggested by the staff to ask Supervisors to attend the staff meeting on a rotation base. After discussion, Supervisor Gerald Cabbage was invited to attend the next staff meeting.

Mrs. Jarvis request for comment:

Mrs. Jarvis addressed the Board stating that she was under the impression that she had been placed on the agenda for a short comment period. Mrs. Jarvis gave a lengthy talk concerning her real estate property and the taxes that the County claims she owes.

Supervisors Time:

Gerald Cabbage-

Supervisor Gerald Cabbage noted that he still felt that the minutes should be done verbatim, as they use to be done, and that petitions should become a part of the minutes.

Elaine Mayberry-

Supervisor Mayberry noted that she had received a fax from NACO stating that the House Of Representatives has increased certain funds, and that may allow more federal funds for our parks.

Nora Belle Comer-

Supervisor Comer noted that she was invited to attend the Jaylock Committee meeting in Richmond recently. The meeting was concerning transportation, and she was able to address a few issues concerning the lack of funds for our secondary roads.

Robert Good-

Supervisor Good just wanted to compliment Mrs. Jarvis on her persistence, and if there was anything that could be done, the Board would do it.

Allen Cabbage-

Supervisor Cabbage just wanted it noted that he was just one member of the Board, and the Chairman was just the member that conducts the meeting, but that he certainly appreciates Mr. McWhorter's support.

Recess: 8:35 p.m.

The will recess until Thursday July 12, 2001, 7:00 p.m.